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JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Wednesday - 20 November 1974

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25X1 1. [] Met with Jim Davidson, Senate Government Operations Subcommittee on Intergovernmental Relations staff, and agreed to an exemption ^{attached} for intelligence sources and methods and foreign intelligence systems for most of the provisions of S. 3418, the Senate right of privacy bill. This included an exemption from the rule-making and court review provisions of the bill. Davidson said he had talked earlier with Senator Sam J. Ervin, Jr. (D., N. C.), and Senator Ervin had agreed to accept whatever Davidson and I had worked out. Our exemption will be included among a number of exemptions that Senator Ervin will introduce as "technical amendments" when the bill is taken up on the floor.

25X1 2. [] Bob Bedell, OMB/OGC, called earlier and cleared my contacting Jim Davidson, Senate Government Operations Subcommittee on Intergovernmental Relations staff, directly on S. 3418, the Senate right of privacy bill.

25X1 3. [] Called Pete Bonner, Minority Counsel, Senate Appropriations Defense Subcommittee, and briefed him on our problems with the amendments to the Freedom of Information Act contained in H. R. 12471 which is coming up for action in the House and Senate today and tomorrow on the question of overriding the President's veto. I told Bonner we would hope that Senator Milton Young would support the Administration position with regard to this legislation including voting against overriding the veto and supporting substitute legislation being sponsored by Senators Scott and Hruska and others. Bonner said he would be on the floor with Young on the Supplemental Appropriation all day today but would look at the package we were sending to him and would take it up as soon as possible with the Senator.

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25X1 4. [] Called Kathy Smith, in the office of Senator Stuart Symington, to alert her to our interest and position on the Freedom of Information Act amendments. This may be a lost cause since I believe Symington will be inclined to vote against the Administration on this issue but I felt he might tilt in the other direction if he knew it was in the Agency's interest to do so. Mrs. Smith said she was not aware of the bill or the Senator's feeling about it but would convey our views to him.

25X1 5. [] Reported to Ed Braswell, Chief Counsel, Senate Armed Services Committee, that we had not fared well in attempting to line up the support of Senator Henry M. Jackson for the Administration position on the Freedom of Information issue. Jackson feels the move is too little too late and has no chance of succeeding.

25X1 6. [] Reported on our progress on the Freedom of Information issue to Pat O'Donnell, of the White House staff. He said on their head count Senator Milton Young was listed as opposing the Administration position. I told him we had attempted to reach the Senator without success but had talked to his principal staff man on the Appropriations Committee and were hopeful we could bring the Senator around. O'Donnell raised the possibility of the Director's calling Young but said he certainly left that up to our judgment.

25X1 7. [] In response to his call, told Bill O'Keefe, in the office of Representative Silvio Conte (R., Mass.), that unfortunately we could not be of any assistance in placing a commercial pilot rated on both fixed and rotary winged aircraft.

25X1 8. [] Called Dorothy Fosdick, Professional Staff Director, Permanent Subcommittee on Investigations, Senate Government Operations Committee, concerning the Freedom of Information Act amendments who passed on Senator Henry Jackson's (D., Wash.) observations, but not for quotation.

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On page 47, between lines 23 and 24, insert the following:

(d) "The provisions of this Act, with the exception of Sections 201(a)(2), 201(b)(2)(3)(4)(5)(6) and (7), 201(c)(2), 201(c)(3)(A)(B)(D)(F), and 202(a)(2) and (3) shall not apply to foreign intelligence information systems or to systems of personal information involving intelligence sources and methods designated for protection from unauthorized disclosure pursuant to 50 U.S.C.A. 403."